

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

Caption in compliance with D.N.J. LBR 9004-1(b)

HILL WALLACK LLP

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New York, NY 10016

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*Attorneys for Franklin Credit Management
Corporation, as servicer for, Wilmington Savings Fund
Society, FSB, not in its individual capacity but solely as
Certificate Trustee of Bosco Credit VI Trust Series
2012-1*

In Re:

Ann W. Chan aka Ann Wan Wah Chan aka Ann Chan

Debtors.

Chapter: 23-20416-CMG

Case No.: 13

Judge: Christine M. Gravelle

Hearing: January 17, 2024 at 10:00 AM

**OBJECTION OF
TO THE CONFIRMATION OF THE DEBTOR'S CHAPTER 13 PLAN**

Franklin Credit Management Corporation, as servicer for, Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as Certificate Trustee of Bosco Credit VI Trust Series 2012-1 ("Franklin") hereby objects to the confirmation of the Debtors' Chapter 13 Plan for the following reasons:

1. Franklin is a secured creditor of Ann W. Chan (the "Debtor") with respect to real property commonly known as 47 Lori St, Monroe, New Jersey 08831 (the "Property").
2. As of the petition date, November 7, 2023, Franklin held a judgment lien that attached to the Property. Debtor owed prepetition sums to Franklin in the amount of \$175,903.62, as set forth in a Proof of Claim filed January 8, 2023.

4. The Debtor's plan as proposed and the filed petition both entirely fails to account for or to provide for the outstanding debt owed to Franklin. Debtor's Chapter 13 Plan is not confirmable as it fails to meet the requirement of 11 U.S.C. §1325(a)(5)(B).

For the foregoing reasons, Franklin respectfully suggests that the Debtor's proposed Chapter 13 Plan cannot be confirmed unless, or until, it is modified to repay Franklin's claim for prepetition arrears.

Respectfully submitted,
HILL WALLACK LLP
Attorneys for Franklin Credit Management Corporation, as servicer for, Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as Certificate Trustee of Bosco Credit VI Trust Series 2012-1

By: /s/ Melissa N. Licker

Dated: January 10, 2024

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CERTIFICATION OF SERVICE

1. I, Latesha Jenkins:

- ☐ represent the _____ in the above-captioned matter.
- ☒ am the secretary/paralegal for Hill Wallack LLP, who represents the Creditor in the above captioned matter.
- ☐ am the _____ in the above case and am representing myself.

2. On January 10, 2024, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below: ***Objection to Confirmation of Plan***

I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: January 10, 2024

/s/ Latesha Jenkins
Latesha Jenkins

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Ann W. Chan 47 Lori Street Monroe Township, NJ 08831	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Daniel E. Straffi Straffi & Straffi, LLC 670 Commons Way Toms River, NJ 08755	Debtors' Attorney	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650-4853	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

*May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.